IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

WP(C).No. 113 of 2007(L)

PETITIONER:

C.M.KAMALAVATHI AMMA, AGED 70 YEARS,
W/O.LATE K.GOPALAN NAIR, KAMALA SADAN,
ERAVIMANGALAM PO, CHERUKARA (VIA),
MALAPPURAM DISTRICT-679 340.

BY ADV. SRI.N.JAMES KOSHY

RESPONDENTS:

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1. UNION OF INDIA, REPRESENTED BY
THE SECRETARY, MINISTRY OF HOME AFFAIRS,
FREEDOM FIGHTERS DIVISION, LOK NAYAK BHAVAN,
KHAN MARKET, NEW DELHI-110 003.

2. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.

3. COMMANDANT, MALABAR SPECIAL POLICE
(M S P), OFFICE OF THE COMMANDANT,
M.S.P. MALAPPURAM.

4. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT, MALAPPURAM.

BY ADV. SRI.DEEPU THANKAN, CGC
GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N. RAMACHANDRAN NAIR, J.

W.P. (C) NO. 113 OF 2007

Dated this the 10th day of January, 2007

J U D G M E N T

Petitioner, the widow of a freedom fighter, approached this Court claiming Swatantrata Sainik Samman Pension. So far the State Government has not recommended the petitioner's case though Ext.P8 application was filed on 17.3.1998. Learned counsel for the petitioner relied on several decisions of this Court in similar cases, namely O.P. NO. 26847/00, W.P.(C) No. 35895/03 and W.P.(C) No.15798/06 where the Central Pension is granted in similar cases on the recommendation of the State Government.

In the above circumstances, this writ petition is disposed of directing the respondents 2 and 4 to consider the case of the petitioner in the light of the judgments of this Court relied on by the petitioner and forward the recommendation to the 1st respondent within two months from the date of production of a copy of this judgment by the petitioner. If the recommendation is favourable to the petitioner, 1st respondent will release the pension to the petitioner within one month form the date of receipt of the recommendation.

C.N. RAMACHANDRAN NAIR,
JUDGE

vps

KURIAN JOSEPH, JUDGE

OP NO.

JUDGMENT

21st DECEMBER, 2006